

International Centre for Dispute Resolution

Case No. 01-18-0003-7960

In the Matter of Arbitration Between:

Litco, LLC

-vs-

Arcanum (Asia) Limited

-vs-

BTA Bank JSC
City of Almaty, Republic of Kazakhstan
Republic of Kazakhstan

PROCEDURAL ORDER NO. 7

WHEREAS:

A. The Tribunal had previously been advised by the ICDR that one of the parties to this arbitration has failed to fund its share of advances on arbitrator compensation and expenses in this matter, as required by Rule 56 of the AAA Commercial Arbitration Rules.

B. The ICDR had also advised the Tribunal that, as a result of advances not being fully funded, it was unable to pay in full interim invoices rendered by two of the arbitrators in November 2021.

C. After communication with the parties concerning the need to ensure that required advances were fully paid, and based on the parties' continued failure to pay such advances, on February 7, 2022, the Tribunal issued Procedural Order No. 6, whereby it suspended this arbitration in accordance with Rule 57(e) of the AAA Commercial Arbitration Rules.

D. The Tribunal has communicated further with the parties after issuance of Procedural Order No. 6 and, in response to a request from counsel for the Claimant, agreed in an email dated June 7, 2022 to extend the deadline for payment of outstanding advances to 5 pm (NY time) on Thursday, July 7, 2022. In its June 7,

2022 email, the Tribunal stated that “this deadline will not be extended; if the outstanding deposit is not timely paid in full, the Tribunal expects to terminate this arbitration pursuant to Rule 57(f) of the AAA Commercial Arbitration Rules.”

D. The Tribunal has been advised by the ICDR that no further advances have been received from the parties since the issuance of Procedural Order No. 6 and the Tribunal’s June 7, 2022 email.

Accordingly, IT IS HEREBY ORDERED that this arbitration is terminated in accordance with Rule 57(f) of the AAA Commercial Arbitration Rules.

Dated: July 9, 2022
New York, New York



Christopher K. Tahbaz
Presiding Arbitrator, for the Tribunal